

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12441 OF 2019

Date: 24.06.2019

Between:

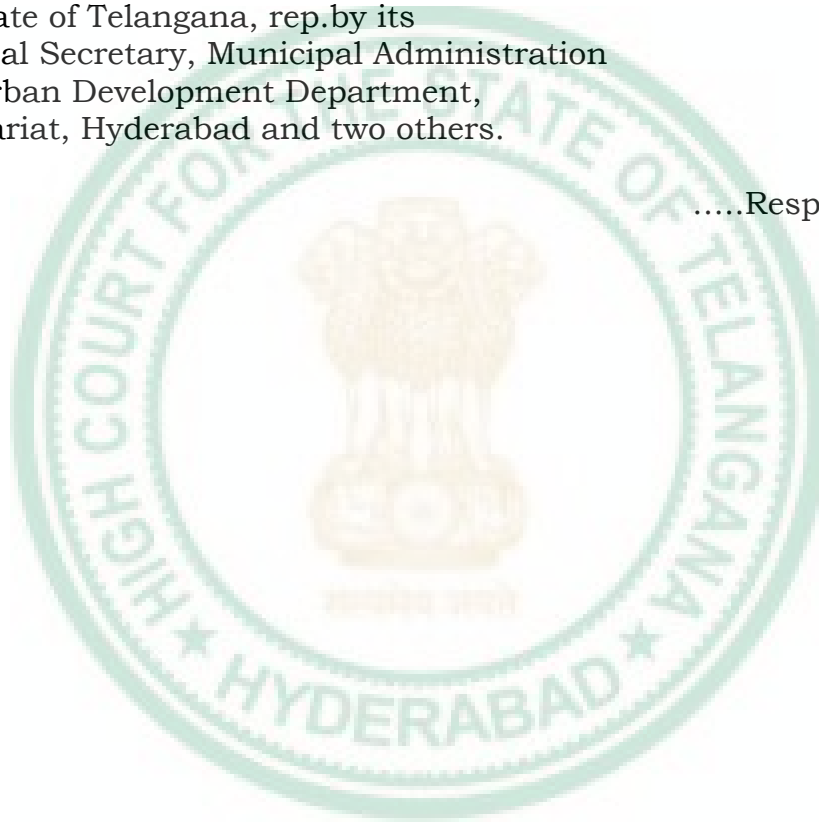
Chintha Srinivas Rao, S/o.Venkateshwarlu,
Age 40 yrs, Occu : Business,
R/o.H.No.2-4-1593, Ashoknagar Colony,
Hanmakonda, Warangal Urban District,
Telangana State.

.....Petitioner

And

The State of Telangana, rep.by its
Principal Secretary, Municipal Administration
And Urban Development Department,
Secretariat, Hyderabad and two others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION NO.12441 OF 2019****ORDER:**

Building permission application dated 10.06.2019 submitted by the petitioner was returned by proceedings dated 18.06.2019. The reason assigned in the remarks column against Sl.No.3 would indicate that petitioner did not enclose the drawing proposals as the proposed site is abutting to the existing 40 feet wide road, which is proposed to be widened to 60 feet as per the draft master plan. Petitioner challenges the said objection in this Writ Petition.

2. Learned counsel for petitioner places reliance on the earlier decision of this Court, wherein this Court has taken the view that based on draft master plan for widening the existing road before its approval, the Corporation cannot insist to reflect road effected area.

3. Learned standing counsel also agrees that matter is covered by the earlier decision to that extent.

4. Following the earlier order dated 11.04.2014 in W.P.No.10465 of 2014, the insistence to submit drawing proposals for 60' road as per the notified draft master plan is held as not valid, and the respondents are directed to consider the application of petitioner for permission to construct residential building in the subject property without insisting to submit the drawing proposals as per the draft master plan, and the Shortfall Intimation letter dated 18.06.2019 is set aside. Within four weeks from the date on which the petitioner resubmits his application for permission along with documents required, respondents shall consider the same in

accordance with law including the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, the Rules and Bye-laws made there under, and take a decision and communicate the same to the petitioner.

5. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

24th June, 2019
Rds

